

**REMARKS**

In accordance with the foregoing, claims 1, 5, 6 and 25 have been amended while claims 16-18 and 51 have been allowed. Therefore, claims 1-54 are pending and reconsideration of claims 1-15, 19-50 and 52-54 is respectfully requested.

**AMENDMENTS TO CLAIMS 1, 5, 6 and 25:**

With reference to the amendments to claim 1, applicants note that these amendments have been made to improve the form of the claim and not to overcome the outstanding rejection of the claim, the traversal of which is discussed below. The amendments to claims 5 and 6 have been made to capitalize upon the finding that these claims contain allowable subject matter as they stood before the amendments to claim 1. Lastly, the amendment to claim 25 is, like the amendments to claim 1, merely done to improve the form of the claim.

**REJECTIONS UNDER 35 U.S.C. §102:**

Claims 1-4, 7-10, 19-22, 24-27, 35-38, 41-50 and 52-54 are rejected under 35 U.S.C. §102(b) as being anticipated by Yokota et al. (U.S. Patent 5,848,032). This rejection is traversed.

Regarding the rejection of claim 1, it is noted that claim 1 recites a recording/reproducing method to be used with a recording/reproducing apparatus acting on an information storage medium having a plurality of tracks. According to the claim, the method comprises designating a particular portion of a particular track as a representative portion of the track when recording data to the track of the medium, and recording reproduction related information, to allow the apparatus to reproduce the representative portion, to a predetermined area on the medium.

Yokota, on the other hand, is directed to a disc recording apparatus which uses a disc recorded with address data beforehand and writes the TOC (information about recorded data) in a predetermined area on the disc. When a predetermined key is operated during recording, an address on the disc corresponding to an operation point of the key is written to the predetermined area as the TOC, generating positional information for data retrieval which substantially has no offset from a marker point on the disc. In reproduction, the TOC is read before starting reproduction so that a desired marker point can be detected promptly based on the positional information of the TOC data.

Hence, Yokota entirely fails to disclose the claimed operation of designating a particular

portion of a particular track as a representative portion of the track. In other words, while the claimed invention allows a user to listen to the designated portion so as to preview the track, the reference to Yokota merely provides a "table of contents"-like feature to a disc that informs a disc recording apparatus where, on the disc, certain information is. Indeed, there is no teaching in Yokota of providing address information to locate a predetermined portion of that certain information, as in the claimed invention.

Thus, applicants respectfully assert that claim 1 is patentably distinguished from the reference to Yokota and that the rejection is, therefore, believed to be overcome.

Regarding the rejections of claims 8, 19, 25, 35, 42, 47, 50, 52 and 53, applicants respectfully note that these claims each recite, generally, the designation of a representative portion of a track and the recordation of information that provides for the location of the representative portion. As such, these claims are patentably distinguished over the reference to Yokota and are allowable for substantially similar reasons as set forth above with respect to claim 1. Therefore, the rejections of these claims are believed to be overcome.

Regarding the rejections of claims 2-4, 7, 9, 10, 20-22, 24-27, 36-38, 41, 43-46, 48 and 49, it is noted that these claims depend upon independent claims that are believed to be allowable as discussed above. Therefore, these claims are also believed to be allowable for at least the reasons as set forth above.

**ALLOWABLE SUBJECT MATTER:**

Claims 16-18 and 51 are allowed and claims 5, 6, 11-15, 23, 28-34, 39 and 40 have been found to contain allowable subject matter. Accordingly, claims 5 and 6 have been rewritten in independent form. Claims 11-15, 23, 28-34, 39 and 40, however, are believed to be allowable as is as discussed above.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 9/26/05

By:   
Howard I. Levy  
Registration No. 55,378

1400 Eye St., NW  
Suite 300  
Washington, D.C. 20005  
Telephone: (202) 216-9505  
Facsimile: (202) 216-9510